

Susan E. Coleman (SBN 171832)
E-mail: scoleman@bwslaw.com
Carmen M. Aguado (SBN 291941)
E-mail: caguado@bwslaw.com
BURKE, WILLIAMS & SORENSEN, LLP
444 South Flower Street, Suite 2400
Los Angeles, CA 90071-2953
Tel: 213 236 0600 Fax: 213 236 2700

Attorneys for Defendants
THE GEO GROUP, INC., DIAZ, CAMPOS and
CITY OF ADELANTO

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OMAR ARNOLDO RIVERA
MARTINEZ; ISAAC ANTONIO
LOPEZ CASTILLO; JOSUE
VLADIMIR CORTEZ DIAZ; JOSUE
MATEO LEMUS CAMPOS;
MARVIN JOSUE GRANDE
RODRIGUEZ; ALEXANDER
ANTONIO BURGOS MEJIA; LUIS
PEÑA GARCIA; JULIO CESAR
BARAHONA CORNEJO, as
individuals.

Plaintiffs,

V.

THE GEO GROUP, Inc., a Florida corporation; the CITY OF ADELANTO, a municipal entity; GEO LIEUTENANT DURAN, sued in her individual capacity; GEO LIEUTENANT DIAZ, sued in her individual capacity; GEO SERGEANT CAMPOS, sued in his individual capacity; SARAH JONES, sued in her individual capacity; THE UNITED STATES OF AMERICA; and DOES 1-10, individuals.

Defendants.

Case No. 5:18-cv-01125-SP

**DECLARATION OF CARMEN M.
AGUADO IN SUPPORT OF
DEFENDANTS DIAZ AND
CAMPOS' MOTION FOR
SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, PARTIAL
SUMMARY JUDGMENT**

[Notice of Motion and Motion for Summary Judgment; Memorandum of Points & Authorities; Statement of Uncontroverted Material Facts; and [Proposed] Order Filed Concurrently]

Hearing Date: December 17, 2019
Time: 10:00 a.m.
Courtroom: 3

Mag. Judge: Honorable Sheri Pym

1 I, Carmen M. Aguado, declare as follows:

2 1. I am admitted in this Court and the State of California. I am an
3 associate at Burke, Williams & Sorensen, LLP, and I am counsel of record for
4 Defendants The GEO Group, Inc., Diaz, Campos, and the City of Adelanto
5 (hereinafter “Defendants”).

6 2. I have personal knowledge of the matters set forth herein, except as to
7 those matters stated on information and belief, and would competently testify
8 thereto if called and sworn as a witness. This declaration is made in support of
9 Defendants’ motion for summary judgment or, in the alternative, summary
10 adjudication.

11 3. In compliance with Local Rule 7-3, on October 29, 2019, I sent
12 Plaintiffs’ counsel a 7-page meet and confer letter regarding the allegations against
13 Defendants. In response, Plaintiffs’ counsel agreed to voluntarily dismiss Plaintiffs’
14 ninth claim for conspiracy under 42 U.S.C. § 1985(3). After thorough discussions,
15 we were unsuccessful in resolving the remaining claims against Defendants.

16 4. Attached to the Appendix as Exhibit “N” is a true and correct copy of
17 the pertinent pages from the deposition of Julio Cesar Barahona Cornejo taken on
18 June 10, 2019.

19 5. Attached to the Appendix as Exhibit “O” is a true and correct copy of
20 the pertinent pages from the deposition of Josue Mateo Lemus Campos taken on
21 May 23, 2019

22 6. Attached to the Appendix as Exhibit “P” is a true and correct copy of
23 the pertinent pages from the deposition of Isaac Antonio Lopez Castillo taken on
24 July 23, 2019.

25 7. Attached to the Appendix as Exhibit “Q” is a true and correct copy of
26 the pertinent pages from the deposition of Alexander Antonio Burgos Mejia taken
27 on May 17, 2019.

28 ///

1 8. Attached to the Appendix as Exhibit "R" is a true and correct copy of
2 the pertinent pages from the deposition of Marvin Josue Grande Rodriguez taken on
3 May 30, 2019.

4 9. Attached to the Appendix as Exhibit "S" is a true and correct copy of
5 the pertinent pages from the deposition of Luis Pena Garcia taken on June 4, 2019.

6 10. Attached to the Appendix as Exhibit "T" is a true and correct copy of
7 the pertinent pages from the deposition of Jose Bladimir Cortez Diaz dated on June
8 17, 2019.

9 11. Attached to the Appendix as Exhibit "U" is a true and correct copy of
10 the pertinent pages from the deposition of Omar Arnoldo Rivera Martinez taken on
11 June 6, 2019.

12 12. Attached to the Appendix as Exhibit "V" is a true and correct copy of
13 the pertinent pages from the deposition of Officer Rodrick Gillon taken on May 13,
14 2019.

15 13. Attached to the Appendix as Exhibit "W" is a true and correct copy of
16 the pertinent pages from the deposition of LVN Sarah Ann Jones taken on June 27,
17 2019.

18 14. Attached to the Appendix as Exhibit "X" is a true and correct copy of
19 the pertinent pages from the deposition of Officer Rebecca Jindi taken on June 14,
20 2019.

21 15. Attached to the Appendix as Exhibit "Y" is a true and correct copy of
22 the pertinent pages from the deposition of Officer Gilbert Martinez taken on June
23 14, 2019.

24 ///

25 ///

26 ///

27 ///

28 ///

16. Attached to the Appendix as Exhibit "Z" is a true and correct copy of the pertinent pages from the deposition of Anthony Reyes taken on April 30, 2019.

I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct.

Executed on November 12, 2019, at Los Angeles, California.

/s/ Carmen M. Aguado
CARMEN M. AGUADO